

REMARKS

Claims 1-34 constitute the pending claims in the present application. Claims 1-2, 25-27, and 35-38 are currently under consideration. Applicants add new claims 39-42. Support for the subject matter of these claims is found throughout the specification. No new matter has been entered. Specific support can be found, for example, in Example 6. Applicants respectfully request reconsideration in view of the following remarks. Issues raised by the Examiner will be addressed below in the order they appear in the prior Office Action.

1. Claims 1-2, 25-27, and 35-38 are rejected under 35 U.S.C. 102(e) as allegedly anticipated by Porter et al. Applicants traverse this rejection.

Applicants maintain the arguments of record with regard to this rejection. Furthermore, Applicants continue to contend that the declaration of Leona Ling under 37 CFR 1.131 “establish reduction to practice prior to the effective date of the reference, or conception of the invention prior to the effective date of the reference coupled with due diligence from prior to said date to a subsequent reduction to practice or to the filing of the application.” (37 CFR 1.131(b)). Accordingly, Applicants maintain that Porter et al. is not available as prior art against the previously pending claims.

Nevertheless, to expedite prosecution, Applicants have amended the claims to more particularly point out certain embodiments of Applicants’ invention. Support for Applicants’ amendments can be found throughout the application. Specific support can be found, for example, in Examples 5 and 6.

To anticipate, a cited reference must teach each and every limitation of the claimed invention. Porter et al. fail to satisfy this criteria. Porter et al. neither teach nor suggest methods for treating myocardial infarction in subjects suffering from cardiac ischemia. Accordingly, Porter et al. fail to anticipate the claimed invention.

Applicants’ amendments are not in acquiescence to the rejection. Applicants reserve the right to prosecute claims of similar or differing scope. In light of Applicants’ amendments and arguments, reconsideration and withdrawal of this rejection is requested.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to **Deposit Account No. 18-1945 under Order No. CIBT-P01-119**.

Respectfully Submitted,

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